

SOLICITOR

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| TO: <b>Mail Stop 8</b><br><b>Director of the U.S. Patent and Trademark Office</b><br><b>P.O. Box 1450</b><br><b>Alexandria, VA 22313-1450</b> | <b>SEP 17 2007</b><br><b>U.S. PATENT &amp; TRADEMARK OFFICE</b> | <b>REPORT ON THE</b><br><b>FILING OR DETERMINATION OF AN</b><br><b>ACTION REGARDING A PATENT OR</b><br><b>TRADEMARK</b> |
|---|---|---|

In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court for the District of Maryland on the following ☒ Patents or ☐ Trademarks:


|                                     |                                |   |
|-------------------------------------|--------------------------------|---|
| DOCKET NO.<br>RDB-07-2411           | DATE FILED<br>9/12/07          | U.S. DISTRICT COURT<br>FOR THE DISTRICT OF MARYLAND 101 W. Lombard St. Balto., MD 21201 |
| PLAINTIFF<br><br>Steril B. V. Et al |                                | DEFENDANT<br><br>Automotive Lifts & Machinery Corp.                                     |
| PATENT OR<br>TRADEMARK NO.          | DATE OF PATENT<br>OR TRADEMARK | HOLDER OF PATENT OR TRADEMARK   |
| 1 6,315,079                         |                                |   |
| 2                                   |                                |   |
| 3                                   |                                |   |
| 4                                   |                                |   |
| 5                                   |                                |   |

In the above—entitled case, the following patent(s) have been included:

|                            |                                |                                    |                                 |                                     |   |
|----------------------------|--------------------------------|------------------------------------|---------------------------------|-------------------------------------|---|
| DATE INCLUDED              | INCLUDED BY                    | <input type="checkbox"/> Amendment | <input type="checkbox"/> Answer | <input type="checkbox"/> Cross Bill | <input type="checkbox"/> Other Pleading |
| PATENT OR<br>TRADEMARK NO. | DATE OF PATENT<br>OR TRADEMARK | HOLDER OF PATENT OR TRADEMARK      |                                 |                                     |   |
| 1                          |                                |                                    |                                 |                                     |   |
| 2                          |                                |                                    |                                 |                                     |   |
| 3                          |                                |                                    |                                 |                                     |   |
| 4                          |                                |                                    |                                 |                                     |   |
| 5                          |                                |                                    |                                 |                                     |   |

In the above—entitled case, the following decision has been rendered or judgement issued:

|                    |
|--------------------|
| DECISION/JUDGEMENT |
|--------------------|

|                            |  |                 |
|----------------------------|--|-----------------|
| CLERK<br>Felicia C. Cannon | (BY) DEPUTY CLERK<br> | DATE<br>9/12/07 |
|----------------------------|--|-----------------|

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

2007 SEP 12 A 10:35

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AT BALTIMORE

BY \_\_\_\_\_ DEPUTY

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

STERTIL B.V. )  
 )  
Westkern 3, )  
9288 CA Kootstertille )  
The Netherlands )  
 )  
and )  
 )  
STERTIL-KONI U.S.A., INC. )  
 )  
200 Log Canoe Circle )  
Stevensville, Maryland 21666 )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
AUTOMOTIVE LIFTS & MACHINERY )  
CORP. )  
 )  
200 Benchmark Industrial Drive )  
Streator, Illinois 61364 )  
 )  
Defendant. )

Civil Action No. \_\_\_\_\_

**RDB 07CV2411**

**JURY TRIAL DEMANDED**

COMPLAINT

Stertil B.V. and Stertil-Koni U.S.A., Inc. (together "Stertil"), through their undersigned counsel, hereby allege the following for their Complaint against Automotive Lifts & Machinery Corp. ("ALM"):

1. This is a civil action for the infringement of United States Patent No. 6,315,079 entitled "Lifting Device with Movable Lifting Columns" (the "079 patent"). This

Court has jurisdiction under 28 U.S.C. §§ 1331 and 1338(a). Venue is proper under 28 U.S.C. §§ 1391 and 1400(b).

2. Plaintiff Steril B.V. is a corporation organized under the laws of The Netherlands, with a principal place of business at Westkern 3, 9288 CA, Kootstertille, The Netherlands. Plaintiff Steril-Koni U.S.A. Inc., a wholly owned subsidiary of Steril B.V, is a corporation organized under the laws of the State of Maryland and has a place of business at 200 Log Canoe Circle, Stevensville, Maryland 21666

3. On information and belief, Defendant ALM is a corporation organized under the laws of the State of Illinois, with a principal place of business at 200 Benchmark Industrial Drive, Streator, Illinois 61364.

4. At all times relevant herein, Defendant ALM regularly transacted business in the State of Maryland and is, therefore, subject to this Court's personal jurisdiction.

5. Steril B.V. is the owner, by assignment, of the '079 patent, which was duly and lawfully issued by the United States Patent and Trademark Office on November 13, 2001. Steril-Koni U.S.A. Inc. is the entity that sells in the United States products manufactured under the '079 patent by Steril B.V. in The Netherlands. A true and correct copy of the '079 patent is attached hereto as Exhibit A.

6. Upon information and belief, ALM is manufacturing, selling and offering to sell products that infringe the '079 patent under 35 U.S.C. § 271. ALM is directly infringing, contributorily infringing, and/or inducing the infringement of the '079 patent

by at least its manufacture, use, and sale of its Model No. ALM WE-18 product. ALM will continue to so infringe the '079 patent unless enjoined by this Court.

7. Steril has placed ALM on actual notice of the '079 patent.

8. ALM's activities in infringing the '079 patent are willful and wanton, constituting willful infringement of such United States Patent under 35 U.S.C. § 285.

9. Steril has been irreparably damaged and will continue to be irreparably damaged by reason of ALM's infringement of the '079 patent unless this Court restrains the infringing acts of ALM. Steril is without an adequate remedy at law.

WHEREFORE, Steril prays:

A. that ALM, its officers, employees, agents, and those persons in active participation in them be permanently enjoined from infringing United States Patent No. 6,315,079;

B. that a decree be entered adjudging that ALM has infringed United States Patent No. 6,315,079 and that such infringement was willful;

C. that ALM be ordered to pay damages to Steril pursuant to 35 U.S.C. § 284, including interest, resulting from ALM's infringement of United States Patent No. 6,315,079;

D. that ALM be ordered to pay to Steril treble damages pursuant to 35 U.S.C. § 284, resulting from ALM's willful infringement of United States Patent No. 6,315,079;

E. that Steril be awarded its costs of this action and reasonable attorneys' fees pursuant to 35 U.S.C. §§ 284 and 285; and

F. that Steril be awarded such further relief as this Court may deem just and proper.

Respectfully submitted,



Dated: September 11, 2007

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Steril-Koni U.S.A., Inc.